

	<p>City of Albany Administrative Policy City Clerk's Office Policy #: CMO-03-001 Title: Notary Policy</p>	<p>City Manager's Office</p>
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Purpose To define the duties and responsibilities of notaries employed by the City of Albany, and of the City toward notary employees. This policy clarifies authority the City may exercise over sponsored notaries, and the rights of the notary as a state officer.

Policy It is the City of Albany's policy to sponsor commission of notaries in each department where notarization is a part of doing City business. Sponsored notaries have some duties as part of their employment by the City. The City may exercise some control over notaries it employs.

Scope and Application This policy applies to City of Albany employees who possess a notary commission and who notarize documents for City business. This policy does not apply to City employees who are commissioned notaries but do not notarize documents for City business.

Procedures City of Albany:

1. Department directors will determine how many notaries are needed for their departments.
2. The City of Albany will pay the costs of supplies and commission for notaries needed by City departments.
3. The City will require a signed agreement from each notary acknowledging this policy and specifying disposition of the notary journal when the notary leaves City employment.

Notary:

1. The notary will comply with the laws, regulations and professional standards of practice for notaries.
2. The notary is solely responsible for updating their commission information and renewals with the Oregon Secretary of State.
3. The notary will retain custody of the stamp and journal while employed by the City of Albany.

Additional Requirements

1. The notary has the sole responsibility to refuse a notarization, provided that they may not do so based on a person's membership in a protected class or for any other reason prohibited by law.
2. The notary may also notarize other documents for current City employees and benefits-related documents for retired City employees.
3. The notary will not charge fees for notarizations performed on City time.

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4. The notary shall not perform notarizations on City time except for City business or City employees or retirees.

Liability

A notary must always take reasonable care when performing a notarization and should rely on good judgment and common sense to properly evaluate each situation. The City shall indemnify the notary for any liability arising out of actions taken in performance of their job with the City. The City assumes no liability for acts performed by the notary for notary services not related to City business, independent of City direction or in violation of law. Notaries who provide notary services not related to City business shall defend, indemnify and hold the City harmless on account of any claim for damages or penalty arising out of or relating to such notarizations.

References

Oregon Revised Statutes 194.205 through 194.990

Review and Authorization

Supersedes: None	Created/Amended by/Date: 8/03/2023	Effective Date: 9/1/2023
City Manager Signature		

1. Form or worksheet revision related to this document? No Yes

If yes, attach a copy of the revised form or worksheet or provide a link to the electronic/web form:

Training required? No Yes